

Please type a plus sign (+) inside this box ☐

PTO/SB/05 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. S145-USA  
First Inventor Little  
Title Medical Tack with a Variable Effective Length  
Express Mail Label No. EL 516 675 914 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 17]  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]

5. Oath or Declaration [Total Pages 3]

a. ☒ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper

c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.

17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: /

Prior application information: Examiner

Group / Art Unit

For CONTINUING OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

|         |                         |           |                          |          |                |
|---------|-------------------------|-----------|--------------------------|----------|----------------|
| Name    | Second Sight, LLC       |           |                          |          |                |
|         | PATENT TRADEMARK OFFICE |           |                          |          |                |
| Address | P.O. Box 905            |           |                          |          |                |
| City    | Santa Clarita           | State     | CA                       | Zip Code | 91380-9005     |
| Country | USA                     | Telephone | (661) 775-3995 ext. 3129 | Fax      | (661) 775-1595 |

Name (Print/Type) Scott B. Dunham

Registration No. (Attorney/Agent)

37,124

Signature

Date

10/10/01

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10/10/01

|   |  |  |                        |
|---|--|--|------------------------|
| <b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> |  |  | Docket No.<br>S145-USA |
| Applicant(s): Little  |  |  |                        |

|            |             |          |                |
|------------|-------------|----------|----------------|
| Serial No. | Filing Date | Examiner | Group Art Unit |
|------------|-------------|----------|----------------|

Invention: **MEDICAL TACK WITH A VARIABLE EFFECTIVE LENGTH**

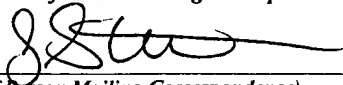
I hereby certify that the following correspondence:

Patent Application

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

10/10/01  
(Date)

Emily M. Stuart  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

|                      |          |
|----------------------|----------|
| Application Number   |          |
| Filing Date          |          |
| First Named Inventor | Little   |
| Examiner Name        |          |
| Group Art Unit       |          |
| Attorney Docket No.  | S145-USA |

TOTAL AMOUNT OF PAYMENT \$428.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-0922**

Deposit Account Name **Second Sight, LLC**

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR § 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|------------------------|----------|
| 101          | 201          | 740      | 370      |          |          | Utility filing fee     | 370.00   |
| 106          | 206          | 330      | 165      |          |          | Design filing fee      |          |
| 107          | 207          | 510      | 255      |          |          | Plant filing fee       |          |
| 108          | 208          | 740      | 370      |          |          | Reissue filing fee     |          |
| 114          | 214          | 160      | 80       |          |          | Provisional filing fee |          |
| SUBTOTAL (1) |              |          |          |          |          |                        | \$370.00 |

### 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 22                 | -20** = 2    | X 9.00 =       | 18.00    |
| Independent Claims | 3 - 3** = 0  | X 0.00 =       | 0.00     |
| Multiple Dependent |              | 0.00 =         | 0.00     |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|--|----------|
| 103          | 203          | 18       | 9        |          |          | Claims in excess of 20                                     |          |
| 102          | 202          | 84       | 42       |          |          | Independent claims in excess of 3                          |          |
| 104          | 204          | 280      | 140      |          |          | Multiple dependent claim, if not paid                      |          |
| 109          | 209          | 84       | 42       |          |          | ** Reissue independent claims over original patent         |          |
| 110          | 210          | 18       | 9        |          |          | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |              |          |          |          |          |  | \$18.00  |

\*\*or number previously paid, if greater; For Reissues, see above

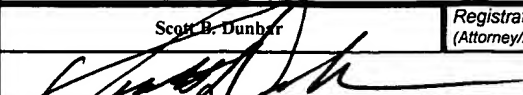
## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity        | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|---------------------|--------------|----------|----------|----------|----------|--|----------|
| 105                 | 205          | 130      | 65       |          |          | Surcharge - late filing fee or oath  |          |
| 127                 | 227          | 50       | 25       |          |          | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                 | 239          | 130      | 130      |          |          | Non - English specification  |          |
| 147                 | 247          | 2,520    | 2,520    |          |          | For filing a request for ex parte reexamination                            |          |
| 112                 | 212          | 920*     | 920*     |          |          | Requesting publication of SIR prior to Examiner action                     |          |
| 113                 | 213          | 1,840*   | 1,840*   |          |          | Requesting publication of SIR after Examiner action                        |          |
| 115                 | 215          | 110      | 55       |          |          | Extension for reply within first month                                     |          |
| 116                 | 216          | 400      | 200      |          |          | Extension for reply within second month                                    |          |
| 117                 | 217          | 920      | 460      |          |          | Extension for reply within third month                                     |          |
| 118                 | 218          | 1,440    | 720      |          |          | Extension for reply within fourth month                                    |          |
| 128                 | 228          | 1,960    | 980      |          |          | Extension for reply within fifth month                                     |          |
| 119                 | 219          | 320      | 160      |          |          | Notice of Appeal   |          |
| 120                 | 220          | 320      | 160      |          |          | Filing a brief in support of an appeal                                     |          |
| 121                 | 221          | 280      | 140      |          |          | Request for oral hearing   |          |
| 138                 | 238          | 1,510    | 1,510    |          |          | Petition to institute a public use proceeding                              |          |
| 140                 | 240          | 110      | 55       |          |          | Petition to revive - unavoidable   |          |
| 141                 | 241          | 1,280    | 640      |          |          | Petition to revive - unintentional   |          |
| 142                 | 242          | 1,280    | 640      |          |          | Utility issue fee (or reissue)   |          |
| 143                 | 243          | 460      | 230      |          |          | Design issue fee   |          |
| 144                 | 244          | 620      | 310      |          |          | Plant issue fee  |          |
| 122                 | 222          | 130      | 130      |          |          | Petitions to the Commissioner  |          |
| 123                 | 223          | 50       | 50       |          |          | Processing fee under 37 CFR § 1.17(q)                                      |          |
| 126                 | 226          | 180      | 180      |          |          | Submission of Information Disclosure Statement                             |          |
| 581                 | 281          | 40       | 40       |          |          | Recording each patent assignment per property (times number of properties) | 40.00    |
| 146                 | 246          | 740      | 370      |          |          | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                 | 249          | 740      | 370      |          |          | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                 | 279          | 740      | 370      |          |          | Request for Continued Examination (RCE)                                    |          |
| 169                 | 269          | 900      | 900      |          |          | Request for expedited examination of a design application                  |          |
| Other fee (specify) |              |          |          |          |          |  |          |
| SUBTOTAL (3)        |              |          |          |          |          |  | \$40.00  |

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

|                   |   |                                   |          |           |                          |
|-------------------|---|-----------------------------------|----------|-----------|--------------------------|
| Name (Print/Type) | Scott B. Dunbar   | Registration No. (Attorney/Agent) | 37,124   | Telephone | (661) 775-3995 Ext. 3129 |
| Signature         |  | Date                              | 10/10/01 |           |                          |

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